

The Honorable Richard A. Jones

IN THE UNITED STATES DISTRICT COURT  
 WESTERN DISTRICT OF WASHINGTON  
 AT SEATTLE

**MICROSOFT CORPORATION,**

Plaintiff,

v.

**BARNES & NOBLE, INC.,  
 BARNESANDNOBLE.COM LLC, HON HAI  
 PRECISION INDUSTRY CO., LTD.,  
 FOXCONN INTERNATIONAL HOLDINGS  
 LTD., FOXCONN ELECTRONICS, INC.,  
 FOXCONN PRECISION COMPONENT  
 (SHENZHEN) CO. LTD., and INVENTEC  
 CORPORATION,**

Defendants.

) Civ. Act. 2:11-cv-00485

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) **HON HAI PRECISION INDUSTRY**  
 ) **CO., LTD., FOXCONN**  
 ) **INTERNATIONAL HOLDINGS**  
 ) **LTD., FOXCONN ELECTRONICS,**  
 ) **INC., AND FOXCONN PRECISION**  
 ) **COMPONENT (SHEN ZHEN) CO.,**  
 ) **LTD.'S REPLY IN SUPPORT OF**  
 ) **THEIR MOTION TO STAY**

) **NOTE ON MOTION CALENDAR:**  
 ) **JUNE 3, 2011**

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Hon Hai Precision Industry Co., Ltd., Foxconn International Holdings Ltd., Foxconn Electronics, Inc. and Foxconn Precision Component (Shen Zhen) Co., Ltd. (collectively, the "Foxconn Defendants"), by and through their undersigned counsel, respectfully submit this Reply in support of their Motion to Stay [Dkt. No. 34] ("Motion").

Plaintiff Microsoft Corporation ("Microsoft") filed its Response to the Foxconn Defendants' Motion on May 31, 2011. Dkt. No. 41. In its Response, Microsoft does not oppose the request for a stay, but asks that the Court toll Microsoft's obligation to serve the non-served parties for the duration of the stay, and further requests that Microsoft be permitted 120 days after

the stay is lifted to effect any such service. *Id.* at 4. The Foxconn Defendants are agreeable to Microsoft's request that the obligation to serve process, along with all other obligations in this litigation, be tolled for the duration of the stay, and thus that Microsoft will not attempt such service on the Foxconn Defendants during the pendency of the stay. However, in view of the fact that 74 days have already passed since Microsoft filed the Complaint in this action, Microsoft should be permitted no more than 60 days after the stay is lifted to effect service upon the Foxconn Defendants.

Respectfully submitted,

Dated: June 3, 2011

**DORSEY & WHITNEY LLP**

/s/Douglas F. Stewart  
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*Attorneys for Defendants,*  
**FOXCONN ELECTRONICS, INC., FOXCONN  
 PRECISION COMPONENTS (SHEN ZHEN) CO.,  
 LTD., FOXCONN INTERNATIONAL HOLDINGS  
 LTD., AND HON HAI PRECISION INDUSTRY CO.,  
 LTD.**

**CERTIFICATE OF SERVICE**

I, Douglas F. Stewart, certify that on June 3<sup>rd</sup>, 2011, the foregoing HON HAI PRECISION INDUSTRY CO., LTD., FOXCONN INTERNATIONAL HOLDINGS LTD., FOXCONN ELECTRONICS, INC., AND FOXCONN PRECISION COMPONENT (SHEN ZHEN) CO., LTD.'S REPLY IN SUPPORT OF THEIR MOTION TO STAY and PROPOSED ORDER were filed with the Clerk of the Court using ECF Notification. Counsel were served by ECF Notification and/or via US Mail.

DATED this 3<sup>rd</sup> day of June, 2011.

/s/Douglas F. Stewart  
Douglas F. Stewart